

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AARON RUBINSTEIN,

Plaintiff,

v.

LANNETT COMPANY, INC.,

Defendant.

Case No. 16-CV-2935-PAE

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Declaration of Elizabeth C. Viele, the exhibits annexed thereto, and upon all of the prior pleadings and proceedings had herein, Defendant Lannett Company, Inc., by its undersigned attorneys, Fox Rothschild LLP, shall move before this Court, at the United States Courthouse located at 500 Pearl Street, New York, New York, for an Order:

- (a) dismissing the complaint pursuant to Rules 12(b)(3) and 12(b)(6) of the Federal Rules of Civil Procedure;
- (g) awarding Defendant attorneys' fees and costs; and
- (h) any such further relief that the Court deems necessary.

Dated: June 10, 2016

FOX ROTHSCHILD LLP

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